

44  
PATENT  
ATTORNEY DOCKET NO.: LEAPS-Con4  
CUSTOMER NO: 36038

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:  
Michael Seul

Serial No.: 09/690,040

Filed: 10/17/2000

Allowed: 7/24/2003

For: Light-Controlled Electrokinetic Assembly  
of Particles Near Surfaces

)  
)  
) Group Art Unit: 1641  
)  
)  
) Examiner: P. Do  
)  
)  
)

Commissioner for Patents  
PO Box 1450  
Alexandria VA 22313-1450

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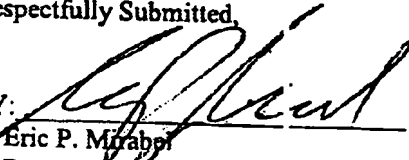
Request/Petition for Simultaneous Issue of Patent

Dear Sir:

Pursuant to MPEP 1306.2, Applicants hereby requests or in the alternative petitions for immediate issuance of the above application as a patent. The request is made now, and was not made when the issue fee transmittal was mailed to the PTO on 7/31/03, because it has since then come to the attention of Applicant that a potential competitor will commercially launch infringing subject matter within the next few days - well before the time a patent is otherwise expected to issue. A copy of the Issue Fee Transmittal (previously sent in) follows. Please charge any fee due in connection with this request to Deposit Account No. 502088.

Respectfully Submitted,

BY:

  
Eric P. Mirabel  
Reg. No. 31,211  
Bioarray Solutions, Ltd.  
35 Technology Drive  
Warren NJ 07059  
(908) 226 8200 (ext 203)

Date:

9/18/03

**Match and Return**

I, Eric P. Mirabel, certify that, on the date indicated above, this correspondence and all attachments indicated herein are being faxed to the Assistant Commissioner for Patents, at (703) 746-5291



## **BIOARRAY SOLUTIONS**

### **FAX COVER PAGE**

<b>To:</b>	Petitions Office	<b>From:</b>	Eric Mirabel; emirabel@bioarrays.com
<b>Company:</b>	PTO	<b>Phone:</b>	908-226-8200, Extension 203
<b>Fax:</b>	703 308 6916	<b>Date:</b>	09/22/2003
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35 Technology Drive, Suite 100, Warren, NJ 07059  
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